

## CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Aliza Klingenstein	Team: Squad #7	CCRB Case #: 202102837	<input type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Thursday, 05/06/2021 3:00 AM	Location of Incident: 114th Precinct stationhouse	Precinct: 114	18 Mo. SOL 11/6/2022	EO SOL 11/6/2022	
Date/Time CV Reported Mon, 05/10/2021 1:01 AM	CV Reported At: CCRB	How CV Reported: Call Processing System	Date/Time Received at CCRB Mon, 05/10/2021 1:01 AM		

Complainant/Victim	Type	Home Address
[REDACTED]	[REDACTED]	[REDACTED]

Witness(es)	Home Address
[REDACTED]	[REDACTED]

Subject Officer(s)	Shield	TaxID	Command
1. POF Jessica Kenniff	27728	969150	114 PCT

Officer(s)	Allegation	Investigator Recommendation
A.POF Jessica Kenniff	Abuse: Police Officer Jessica Kenniff threatened to remove § 87(2)(b) to the hospital.	[REDACTED]
B.POF Jessica Kenniff	Abuse: Police Officer Jessica Kenniff did not obtain medical treatment for § 87(2)(b)	[REDACTED]

## Case Summary

On May 10, 2021, § 87(2)(b) filed the following complaint via the CCRB Call Processing System.

On the evening of May 05, 2021, § 87(2)(b) was arrested and held overnight at the 114<sup>th</sup> Precinct stationhouse. On May 06, 2021, at approximately 3:00 a.m. in the cell area of the 114<sup>th</sup> Precinct stationhouse, § 87(2)(b) became disruptive and Police Officer Jessica Kenniff of the 114<sup>th</sup> Precinct approached § 87(2)(b)'s cell and allegedly threatened to remove him to the hospital if he did not calm down (**Allegation A: Abuse of Authority**, § 87(2)(g)). At approximately 6:00 a.m. the same day, § 87(2)(b) screamed from the cell that he wanted to be taken to the hospital, and PO Kenniff allegedly ignored his request (**Allegation B: Abuse of Authority**, § 87(2)(g)).

The investigation obtained two surveillance footage videos from the 114<sup>th</sup> Precinct stationhouse that were used to analyze the allegations (**Board Review 01-02**).

## Findings and Recommendations

**Allegation (A) Abuse of Authority: Police Officer Jessica Kenniff threatened to remove § 87(2)(b) to the hospital.**

**Allegation (B) Abuse of Authority: Police Officer Jessica Kenniff did not obtain medical treatment for § 87(2)(b)**

§ 87(2)(b) testified (**Board Review 03**) that on May 06, 2021, between 3:00 a.m. – 4:00 a.m. from within a holding cell at the 114<sup>th</sup> Precinct stationhouse, he screamed, threw apples and quarters from the cell at a glass wall in front of him, and tried to make as much noise as possible in order to attract the attention of officers in the stationhouse. Quickly after he began throwing things, PO Kenniff approached the cell and told § 87(2)(b) “If you don’t calm down, we’re going to take you to the hospital.” PO Kenniff told § 87(2)(b) that he would be removed for a psychological evaluation. Between 6:00 a.m. – 7:00 a.m., § 87(2)(b) grew frustrated that he remained in the cell and decided that he wanted to be taken to the hospital because nothing was being done. § 87(2)(b) again threw change from the cell and screamed that he wanted to be taken to the hospital for approximately two or three minutes. No officers were in view and no one responded to him.

PO Kenniff’s memo book, the prisoner holding pen roster, and an arrest report found from a BADS search were used to identify and contact one potential witness, § 87(2)(b) (**Board Review 04-06**). § 87(2)(b) confirmed that he shared a holding cell with § 87(2)(b) on the morning of May 06, 2021; however, when asked to provide a statement, § 87(2)(b) said he wanted his statement to be that officers always mistreat whomever they consider to be criminals and that he has never been treated with respect (**Board Review 07**). § 87(2)(b) then ended the call and refused to further participate in the investigation.

Surveillance footage from the 114<sup>th</sup> Precinct stationhouse between 2:30 a.m. – 4:30 a.m. on May 06, 2021 (**Board Review 01**) shows § 87(2)(b) in a holding cell. § 87(2)(b) appears to occasionally communicate with people out of view and appears to scream between minute marks 00:10:05 – 00:10:35, but the footage does not contain audio. The footage does not capture § 87(2)(b) throwing any items and PO Kenniff does not appear in the footage. Surveillance footage of the cell area between 5:30 a.m. – 7:30 a.m. (**Board Review 02**) captures two interactions between § 87(2)(b) and PO Kenniff, during which PO Kenniff removes § 87(2)(b) from the cell between minute marks 01:39:59 – 01:40:27 and returns him between minute marks 01:41:26 – 01:42:11. [It appears that § 87(2)(b) requests to use the restroom at minute mark 01:39:25 prior to PO Kenniff entering the footage.] After he returns to the cell, § 87(2)(b) appears to scream at PO Kenniff between minute marks 01:41:49 – 01:42:08 while PO Kenniff maintains a calm demeanor. The footage does not capture § 87(2)(b) throwing any items. Aside from the portions that capture what appears to be § 87(2)(b) screaming, the footage does not show § 87(2)(b) behaving in the ways that

he stated. The footage does not show any indication that PO Kenniff threatened to remove § 87(2)(b) to the hospital or that § 87(2)(b) requested to go.

PO Kenniff testified (**Board Review 08**) that as the assigned cell attendant on May 06, 2021, she performed routine checks on § 87(2)(b) and maintained a position in the stationhouse where she could see and hear § 87(2)(b) throughout her tour. PO Kenniff did not recall seeing § 87(2)(b) throw any items from the cell area. § 87(2)(b) yelled and repeatedly complained about not being allowed to leave, but this was normal for prisoners and § 87(2)(b) never behaved in a way that made PO Kenniff think he needed to be removed to the hospital. PO Kenniff did not recall ever mentioning the idea of bringing § 87(2)(b) to the hospital. § 87(2)(b) never requested to go to the hospital.

§ 87(2)(g)

#### Civilian and Officer CCRB Histories

- This is the first CCRB complaint to which § 87(2)(b) has been a party (**Board Review 09**).
- PO Kenniff has been a member of service for one year and this is the first CCRB complaint to which she has been a subject.

#### Civil and Criminal Histories

- As of July 21, 2021, the New York City Office of the Comptroller has no record of a Notice of Claim being filed in regards this to complaint (**Board Review 10**).

- § 87(2)(b)  
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(**Board Review 11**).

Squad: 7

Investigator: Inv. Klingenstein Inv. Aliza Klingenstein August 03, 2021  
Signature Print Title & Name Date

Squad Leader: Manager Vanessa Rosen August 3, 2021  
Signature Print Title & Name Date

Reviewer: \_\_\_\_\_  
Signature Print Title & Name Date